

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE

ROBERT WOLFENBARKER, )  
                          )  
Plaintiff,             )  
                          )  
v.                      )       No.: 2:19-CV-162-TAV-CRW  
                          )  
F/N/U HODGES and     )  
F/N/U SMITH,            )  
                          )  
Defendants.            )

**JUDGMENT ORDER**

For the reasons set forth in the memorandum opinion, filed contemporaneously with this order, this pro se prisoner's complaint for relief under 42 U.S.C. § 1983 is **DISMISSED** for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b). Defendants' motion for summary judgment [Doc. 30] is, accordingly, **DENIED** as moot.

Because the Court **CERTIFIED** in the memorandum opinion that any appeal from this order would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24.

The Clerk is **DIRECTED** to close the file.

**IT IS SO ORDERED.**

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT  
s/ John L. Medearis  
CLERK OF COURT